

5/3/16

11:01 A.M.

Chapter No. 452  
16/SS01/R642SG  
LR 1/16/16

## ***SENATE BILL NO. 2237***

Originated in Senate Liz Welch Secretary

SENATE BILL NO. 2237

AN ACT TO AMEND SECTION 99-19-51, MISSISSIPPI CODE OF 1972, TO PROTECT THE IDENTITIES OF ALL INDIVIDUALS AND ENTITIES WHO COMPRISE THE EXECUTION TEAM, INCLUDING, BUT NOT LIMITED TO, CERTAIN SUPPLIERS OF LETHAL INJECTION CHEMICALS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 99-19-51, Mississippi Code of 1972, is amended as follows:

99-19-51. (1) The manner of inflicting the punishment of death shall be by continuous intravenous administration of a lethal quantity of an ultra short-acting barbiturate or other similar drug in combination with a chemical paralytic agent until death is pronounced by the county coroner where the execution takes place or by a licensed physician according to accepted standards of medical practice.

(2) The Commissioner of the Department of Corrections shall select an execution team to assist the executioner and his deputies. This team, including the State Executioner and his deputies who are responsible for the administration of lethal

chemicals, shall consist of those persons, such as medical personnel, who provide direct support for the administration of lethal chemicals. This team shall also include those individuals involved in assisting in the execution in any capacity, as well as those personnel assigned to specific duties related to an execution.

For the purposes of this section, "supplier of lethal injection chemicals" means a supplier or suppliers of lethal injection chemicals located within the State of Mississippi.

The identities of all members of the execution team, a supplier of lethal injection chemicals, and the identities of those witnesses listed in Section 99-19-55(2) who attend as members of the victim's or the condemned person's immediate family shall at all times remain confidential, and the information is exempt from disclosure under the provisions of the Mississippi Public Records Act of 1983.

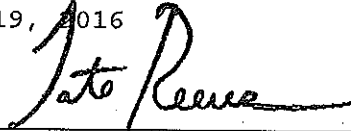
Notwithstanding any provision of law to the contrary, any portion of any record of any kind that could identify a person as being a current or former member of an execution team or a current or former supplier of lethal injection chemicals, or those witnesses listed in Section 99-19-55(2) who attend as members of the victim's or the condemned person's immediate family, shall at all times be confidential, exempt, and protected from disclosure, but the remainder of the record shall not be protected unless otherwise provided by law. A court shall preserve the secrecy of

all confidential and exempt information described in this section by reasonable means, which may include granting protective orders, holding in-camera hearings, sealing the records of the action, and ordering any person involved in the litigation not to disclose such information without prior court approval.

Notwithstanding any provision of law to the contrary, if a member of the execution team or supplier of lethal injection chemicals is licensed by a board or department, the licensing board or department shall not censure, reprimand, suspend, revoke, or take any other disciplinary action against the person's license because the person participated in a lawful execution. Any person or institution assisting with or participating in carrying out an execution in accordance with this statute shall be presumed to be acting in good faith. Any person or institution acting in good faith in connection with carrying out an execution shall be immune from any liability, civil or criminal, that might otherwise be incurred or imposed. All members of the execution team perform their respective functions as official duties on behalf of the state or any agency of the state.

SECTION 2. This act shall take effect and be in force from  
and after its passage.

PASSED BY THE SENATE  
April 19, 2016



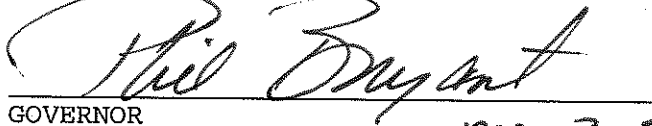
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES  
April 19, 2016



SPEAKER OF THE HOUSE OF REPRESENTATIVES

~~APPROVED BY~~ THE GOVERNOR



GOVERNOR

May 3, 2016

11:01 AM